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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/739,397	12/19/2000	Satoshi Murata	107439-00027	2565

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EXAMINER

DALENCOURT, YVES

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 01/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/739,397

Applicant(s)

MURATA ET AL.

Examiner

Yves Dalencourt

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-13, 15 and 16 is/are rejected.
- 7) ☒ Claim(s) 6 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This office action is responsive to the Request for Continued Examination (RCE) filed on 12/15/2005.

Response to Amendment

The examiner has acknowledged the amended claims 1 - 3, 5, 7, and 8, the amended specification, and the submission of new claims 9 – 16. The rejections of claims 1 – 8 under 35 U.S.C. 112 first paragraph and 35 U.S.C. 102(b) have been withdrawn.

Response to Arguments

Applicant's arguments with respect to claims 1 - 16 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 5, 7 – 13, and 15 - 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Tso et al (US 6,047,327; hereinafter Tso).

Regarding claim 1, Tso teaches a system for transmitting e-mail from a sender to a recipient using a configurable e-mail page, where each e-mail message is written on a web page provided by a communication center, and each communication terminal is provided in a mobile or fixed station (fig. 1; col. 2, line 54 through col. 3, line 18), the system comprising a mail generating section for generating an e-mail message to be sent to an addressee (col. 3, line 49 through col. 4, line 3); a positional data storage section for storing a plurality of physical positional data (server A 17, fig. 3; col. 4, lines 33 - 48); and a positional data attaching section for attaching one or more of the physical positional data stored in the positional data storage section to the e-mail message generated by the mail generating section (col. 5, lines 39 – 43; col. 5, line 54 through col. 6, line 4; col. 10, lines 27 – 40; Tso discloses that attachments would be stored in server A17 until they are requested by client A23. InfoFeed interface 57 would allow content providers to create InfoBites by sending e-mail messages with attachments).

Regarding claim 2, Tso teaches an e-mail sending and receiving system, wherein the positional data storage section includes a plurality of positional data registered by an addresser (col. 4, lines 33 - 48).

Regarding claim 3, Tso teaches an e-mail sending and receiving system, wherein the physical positional data storage section includes a plurality of positional data registered by the communication center (col. 5, line 54 through col. 6, line 4).

Regarding claim 4, Tso teaches an e-mail sending and receiving system, wherein the mail generating section generates each e-mail message by using a format suitable for the communication terminal of the addressee, so that the communication terminal can read the e-mail message (paragraph bridging col. 12, line 59 through col. 13, line 3).

Regarding claim 5, Tso teaches an e-mail sending and receiving system, which further comprises a detailed data generating section for generating detailed data relating to each positional data attached to the e-mail message, and attaching a URL for accessing the detailed data to the e-mail message (col. 6, lines 5 - 20).

Regarding claim 7, Tso teaches an e-mail sending and receiving system, wherein the physical positional data includes at least one of a name, a coordinate, a physical address, a phone number, a postal code, and additional data for explaining a relevant physical place (col. 5, line 54 through col. 6, line 4).

Regarding claim 8, Tso teaches an e-mail sending and receiving system, wherein the physical positional data is positional data on a map of a physical location (col. 5, line 54 through col. 6, line 4; col. 14, line 52 through col. 15, line 3).

Allowable Subject Matter

Claims 6 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Mathai et al (US Patent Number 6,847,969) discloses a method and system for providing personalized online services and advertisements in public spaces.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yves Dalencourt whose telephone number is (571) 272-3998. The examiner can normally be reached on M-TH 7:30AM - 6: 00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yves Dalencourt

December 26, 2005